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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Akiko ITAI

Group: 1637

Appl. No.: 09/508,527 (National Stage of PCT/JP98/04457)

Examiner: Young Kim

Filed: April 3, 2000 (I.A. Filed October 2, 1998)

For: METHOD OF INFERRING THREE-DIMENSIONAL STRUCTURE OF PROTEIN

SUBSTITUTE AMENDMENT UNDER 37 C.F.R. § 1.111

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Subsequent to the Amendment Under 37 C.F.R. § 1.111 filed March 31, 2004, Applicants request entry of this Substitute Amendment. Applicants note that a Notice of Non-Responsive Amendment was mailed on June 17, 2004, noting that the listing of claims contained incorrect markings showing the changes made relative to the immediately prior version. Inasmuch as the Amendment filed on March 31, 2004, was a good-faith attempt to file a fully responsive Amendment. Applicants note that, as verified by telephone call with Examiner Kim on June 21, 2004, although the Notice of Non-Responsive Amendment does not so state, by statute, Applicants have one-month from the mailing of the Notice to respond, which would be July 19, 2004 (July 17, 2004 falling on a Saturday). Applicants submit that this response is timely filed, and no fee should be required for entry of this Substitute Amendment. However, if for any reason the Patent and Trademark Office determines that a fee is necessary to maintain the pendency of the application, including an extension of time, this should be considered to be an express request for any necessary

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extension of time and authorization for the Patent and Trademark Office to charge any necessary extension of time fee to Deposit Account No. 19-0089.

Amendments to the Claims are reflected in the listing of claims which begins on Page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.